

Interview Summary	Application No.	Applicant(s)	
	10/070,823	BEYERSDORFF ET AL.	
	Examiner	Art Unit	
	David Comstock	3733	

All participants (applicant, applicant's representative, PTO personnel):

(1) David Comstock. (3)_____.

(2) Marvin Petry. (4)_____.

Date of Interview: 27 June 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 26,54,59,63,68,75,78,81,85 and 119.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Independent claims 26, 54, 59, 63, 68, 75, 81, 85 and 119 have been amended to positively recite the three piece implant in combination with the insertion instrument, which was found to be allowable in the pre-appeal conference of 08 May 2006. In addition, independent claim 78 was amended to preclude a broad construction of the claim and a corresponding rejection wherein the entire device would be considered rotatable as opposed to just the at least one leg relative to the lower part of the implant, as now claimed.